m/21/004

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Cedar City Field Office
176 East DL Sargent Drive
Cedar City, Utah 84720

In Reply Refer To:
UT-040
3809: UTU-67116

May 14, 2002

Mr. Chris Gypton
Project Manager
Hecla Mining Company
6500 Mineral Drive
Coeur d'Alene, Idaho 83815-8788

Dear Mr. Gypton:

This is in reply to your letter, dated April 9, 2002, which provided Hecla's second proposal to control knapweed and obtain final bond release for the Escalante tailings impoundment. The proposal calls for Hecla to be released from liability for knapweed control within the permit area as soon as eradication of the knapweed can be demonstrated, or by 2010, whichever occurs first. Hecla proposes that proof of eradication will be indicated by three knapweed free years, after the removal of the last growing plant.

On May 1, 2002, Ed Ginouves of my staff conducted an inspection of the impoundment area accompanied by Bob Edwards, the noxious weed specialist for this office. An inspection report of that visit is enclosed. The inspection did confirm the presence of at least several dozen live juvenile knapweed plants that are believed to have germinated last fall. All but two of the juvenile plants were located within the stormwater diversion ditch on the south side of the impoundment, within the fenced impoundment area. A single cluster of plants was found on the surface of the impoundment several hundred feet northeast of the southwest gate in the impoundment fence, and a single plant was found ~20' inside the east gate in the impoundment fence. A number of mature dead knapweed plants were found in wind blown plant debris at the base of the tailings dam within the northeast corner of the impoundment. Mr. Edwards felt these plants may have matured last year. Drought conditions in the area for the prior two years has probably severely limited germination of the remaining viable seed in the ground and limited plant growth, but the inspection demonstrates that continued careful site inspection and spraying / mechanical removal of all knapweed plants found will be necessary to achieve eradication of the knapweed from the impoundment area. I believe eradication is possible prior to 2010, provided the following measures are taken:

1. The small number of plants on the site will demand diligent and complete inspection to achieve eradication of the knapweed. Inspection of the impoundment area by a closely spaced grid is the only practical method of throughly inspecting the site. While concentrating the inspection and eradication effort in areas where they have been previously found is appropriate, the inspection should include all the area within the fenced enclosure. We would suggest this inspection be done twice annually, in the late spring and the late fall. We would also suggest that you document this inspection effort through a written report that describes what was done and what was found.

2. Livestock and possibly OHV enthusiasts have been gaining access to the impoundment area due to the east gate being left open. You indicated that Hecla has been locking the gates but someone has been shooting the locks off and leaving the east gate open. One solution is to weld the gates closed. If vehicle access is necessary for Hecla's inspection effort, installation of a cattleguard at the east gate is another possible solution to livestock trespass. The BLM will contact the grazing allotee to remind them that it is critical that livestock are not to be allowed to enter the fenced enclosure area.

I accept Hecla's standard of eradication of three knapweed free years, after the removal of the last growing plant. However, if eradication is not achieved by 2010, BLM will not recommend release of reclamation liability for the area within the impoundment fence. To document eradication, I propose that you contact us by May 15th of the year in which you believe the knapweed has been eradicated. This will give the BLM sufficient time to inspect the site and, if plants are found, to contact Hecla before they can mature and produce seed. The location of any plants found as part of this inspection will be documented and the locations immediately provided to the company. If no plants are found, BLM will continue making an annual inspection for the remaining two years of the three year period.

Any questions regarding this matter should be directed to Ed Ginouves of my staff, at (435) 865-3040.

Sincerely,

Randy M. Trujillo

Randy Trujillo
Associate Field Office Manager

Enclosure: UTU-67116 Inspection Report (5/01/02)
xc: Lynn Kunzler, DOGM

BLM Cedar City Field Office
Site Inspection Report

May 2, 2002

To: Case File UTU-67116, 43 CFR 3809 Disturbance
Hecla Mining Company, Escalante Mine Tailings Impoundment

From: Ed Ginouves, CCFO Mining Engineer

Subject: Site Inspection

On May 1, 2002, I visited the subject plan-level disturbance, which consists of a decommissioned silver mine and mill, located on private and State lands, and a large mill tailings impoundment area located on adjacent Federal lands. The previous inspection was in December, 2000. Reference the inspection report dated June 26, 1997 for background information and photos of the site.

The purpose of the visit was to inspect the impoundment area for evidence of knapweed. Hecla had recently presented a proposal (see Hecla letter dated April 9, 2002 in the case file) to obtain complete reclamation liability release for the impoundment area. Eradication of the knapweed within the impoundment area is a critical issue for BLM's acceptance of this plan. The inspection was conducted with Bob Edwards, who serves as the CCFO weed specialist, and is familiar with the appearance of knapweed at various stages in the life of the plant. During the inspection we also met with Hecla Project Manager, Chris Gypton, who was on site to meet with a contractor and arrange for re-grading of a waste rock pile on privately-held lands at the site.

The weather was clear and cool and site conditions were very dry.

Bob, Chris, and I first examined an known area of knapweed to acquaint Chris and me with the appearance of the juvenile knapweed plants. This known area falls on BLM land that straddles the County Road in the SE¼SE¼ of section 2 and the SW¼SW¼ of section 1, T. 36 S., R. 17 W, just southeast of the mine site. The outbreak area is being controlled by BLM contract spraying. We were able to locate a handful of knapweed rosettes in this area. These rosettes were felt be seeds that had germinated last fall. The shape of the leaves on the rosettes most closely match the diffuse variety in the weed handbook.

We next drove to the tailings impoundment area; this area occupies ~120 acres falling within the SE¼ of section 3 and the N½NE¼ of section 10, T. 36 S., R. 17 W. The entire impoundment area is fenced and is located on BLM land. The east gate of the impoundment was open and there were fresh cow hoof prints within the fenced area. The east face of the impoundment dam had been rutted in several places at the base of the dam where someone had tried to drive up the dam face. Bob and I walked a circuit within the impoundment area that crossed the areas where knapweed had been previously found. This circuit followed the east edge of the tailings dam, the storm water diversion ditch on the south side of the impoundment, and a southwest/northeast line (roughly connecting the southwest gate with the east gate) across the upper surface of the impoundment. Very little new spring growth other than Globemallow was present in the impoundment area, reflecting the drought conditions that prevailed for the last two years. Several dozen juvenile knapweed plants were found growing in the diversion ditch and a single cluster of several knapweed plants were found on the upper surface of the impoundment. A single juvenile plant was also found ~20' west of the east gate on the flat area east of the impoundment dam face. Digging up some of these plants revealed a root size that Bob felt reflects germination and growth last fall. It was felt that probably no seed had germinated this spring due to continued drought conditions. A small number of dead mature knapweed plants were found that Bob felt had matured and gone to seed in the previous year.

While at the site I GPS'd the 8' fence line enclosing the impoundment area. An ArcView map of that boundary is attached. The fence is in good condition with no breaks found. I also photographed the impoundment area from the ridgeline to the south of the area. Bob and I also drove across a portion of the area that had been stripped for topsoil (located ~¼ mile to the south of the impoundment area) to search for knapweed but none was found.

Before leaving the site we met with Chris to report our findings. Chris indicated that he would pass the information along to the contract employee hired by Hecla to perform the impoundment inspection. Bob suggested that Hecla establish a grid to traverse the impoundment area to assure that inspection coverage was complete. We also suggested that the impoundment gates be kept closed and locked to prevent unauthorized access and possible spread of the remaining knapweed to areas outside the impoundment.

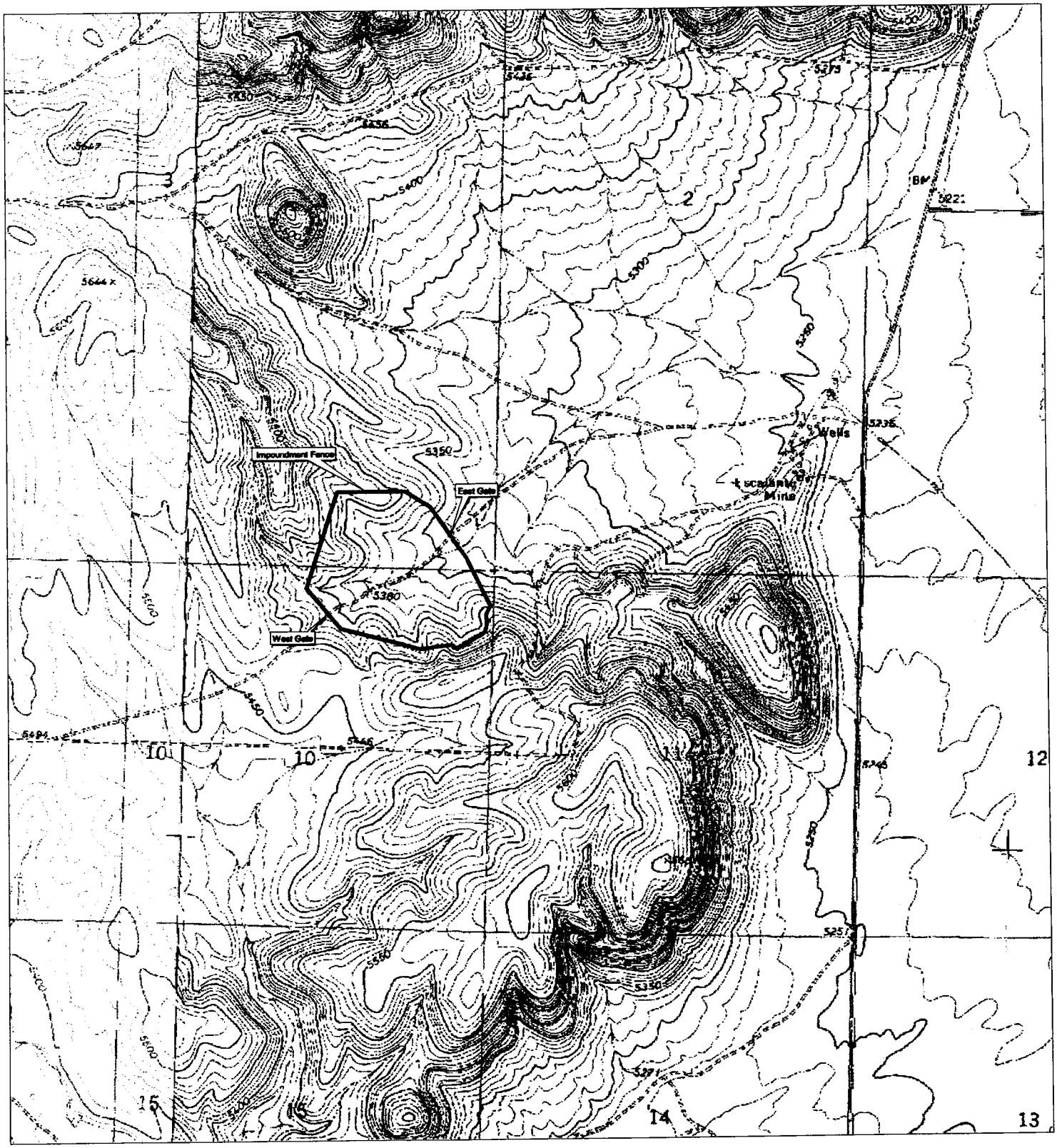
Findings/Recommendations:

1. A viable population of knapweed plants still exists within the impoundment area. Evidence in the form of several plants that likely matured in last year's growing season were found. Several dozen juvenile plants that likely germinated last fall were found in the southern diversion ditch.

2. The drought conditions prevalent for the past two years preclude any reasonable assessment of how much viable seed may be present at the site. Until sufficient moisture is received in the growing season to initiate germination of the remaining seed, it will be impossible to assess the how close we are to eradication of the knapweed from the site.

3. The small number of plants on the site makes rigorous inspection a necessity if eradication is to be the goal. Inspection of the area by a closely spaced grid is the only practical method of throughly inspecting the site.

4. Livestock and possibly OHV enthusiasts have been gaining access to the impoundment area due to the east gate being left open. Hecla has been locking the gates but someone has been shooting the locks off and leaving the east gate open. One solution is to weld the gates closed. BLM needs to contact the grazing allotee to remind them that it is critical no livestock are admitted to fenced enclosure area.



Project: Hecla Mining Company
Escalante Mine Tailings Impoundment
BLM File: UTU-67116
DOGM File: M/021/004
Inspection Date: May 1, 2002
Inspector: Ed Ginouves
Notes:

Min_line.shp
Bureau of Land Management
Department of Defense
Fish & Wildlife Service
Forest Service
Military
National Park Service
Native American
Private
State
Water

N

Scale: 1: 24,000